

FILED

2018 JUL 10 AM 10:11

FORM TO BE USED BY A PRISONER IN  
FILING A CIVIL RIGHTS COMPLAINT

THE U.S. DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
CLEVELAND

IN THE UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF OHIO

RUDOLPH BATTE

(Enter above the full name of the plaintiff in this action)

vs.

Core Civic Corp.; Mr. Brigham

Sloan Warden, (La.E.C.I.);

Mr. Sackett, Institution Insp.

(Enter above the full name of the defendant(s) in this action)

CIVIL CASE NO. 1 : 18 CV 1578

JUDGE JUDGE NUGENT

COMPLAINT

MAG. JUDGE PARKER

I. Previous Lawsuits

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment? YES  NO
- B. If your answer to A is yes, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline). N/A

1. Parties to this previous lawsuit N/A

Plaintiffs N/A

Defendants N/A

2. Court (if federal court, name the district; if state court, name the county)

ASHTABULA, COUNTY

3. Docket Number \_\_\_\_\_

4. Name of judge to whom case was assigned \_\_\_\_\_

-2-

5. Disposition (for example) Was the case dismissed? Was it appealed? Is it still pending?)

N/A

6. Approximate date of filing lawsuit \_\_\_\_\_ N/A

7. Approximate date of disposition \_\_\_\_\_ N/A

II. Place of Present Confinement Lake Erie Correctional Institution

A. Is there a prisoner grievance procedure in this institution? YES  NO

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

YES  NO

C. If your answer is YES,

1. What steps did you take? Pursuant to OAC - 5120-9-31, the Inmate

Grievance Procedure, I filed an Informal Complaint 2) Notification of Grievance 3)Appealed to the Chief Inspector.

2. What was the result? The institution stated it was not in violation of any rule, policy and/or law, and the Department of Rehabilitation and correction, Chief Inspector affirmed.

D. If your answer is NO, explain why not \_\_\_\_\_ N/A

E. If there is no prison grievance procedure in the institution, did you complain to prison authorities?

YES  NO  N/A

F. If your answer is YES,

1. What steps did you take? \_\_\_\_\_ N/A

2. What was the result? \_\_\_\_\_ N/A

- 3 -

### III. Parties

(In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of the Plaintiff Mr. Rudolph Baitt

Address Lake Erie Correctional Inst., P.O. Box 8000, 501 Thompson Road, Conneaut, Ohio 44030

(In item B below, place the full name of the defendant in the first blank, his or her official position in the second blank, and his or her place of employment in the third blank. Use item C for the names, positions and places of employment of any additional defendants.)

B. Defendant Brigham Sloan is employed as

Warden at Lake Erie Correctional Inst.

C. Additional Defendants Mr. Brigham Sloan Warden (La.E.C.I.), 501 Thompson Road, Conneaut, Ohio 44030; Mr. Sackett, Institutional Inspector, La.E.C.I., 501 Thompson Road, Conneaut, Ohio 44030

### IV. Statement of Claim

(State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separated paragraph. Use as much space as you need. (Attach extra sheet(s) if necessary).

Rudolph Baitt (Plaintiff) hereby charges that he was injured while  
in the care and custody of the Lake Erie Correctional Institution  
(defendant Core Civic and named employees) in the capacity of an inmate  
detained in Defendant's prison, which injuries occurred as a result  
of the reckless and wanton exercise of judgment and discretion of  
Defendant via its Warden et al.) in determining whether to acquire  
or how to use equipment, supplies, materials, personnel, facilities  
or other resources necessary for the repair and maintenance of an

(continued)

4

(Statement of Claim Continued)

ultra-hazardous nuisance. Where in repudiating his statutorily imposed duty to attend, the defendant's caused the development of an ultra-hazardous slippery ice-covered walk-way, which nuisance was exacerbated through sanctioning the haphazard and sporadic snow removal and the refusal to use salt illustrates a perverse disregard for the risk of harm to inmates inhereing in that set of circumstances. Wantonness and recklessness are thus evidenced.

As a consequence of the defendant's misconduct as described, Plaintiff slipped and fell haphazardly breaking his shoulder.

On the basis of the defendant's wanton and reckless misconduct and Plaintiff's injuries, pain, suffering and..., Plaintiff demands judgment against Defendant Core Civic Corporation in the amount of \$100,000.00.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

V. Relief

(State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.)

As previously stated on page four (4) the sustained injury was a direct consequence of the defendant's misconduct as described as being wanton and reckless which culminated in producing the propitious circumstances that resulted in Mr. Baitt succumbing to the incident that produced his injury. As a result thereof, plaintiff demands judgment against Defendant Core Civic Corporation in the amount of \$100,000.00.

Signed this \_\_\_\_\_ day of July, 19 2018.

I declare under penalty of perjury that the foregoing is true and correct.

6-28-18

(Date)

Joseph R. Baitt

(Signature of Plaintiff)